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THE RECORDING ACADEMY®

October 27, 2008

The Honorable Kevin Martin  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20544

CC: Commissioners Jonathan Adelstein, Michael Copps, Robert McDowell, Deborah Tate

Re: ET Docket No. 04-186

Dear Chairman Martin:

On behalf of The Recording Academy, an organization representing nearly 20,000 music professionals, we have followed and submitted comments on the White Spaces issue and its effect on our members' ability to provide the high quality concert experiences demanded by the American public. Representing leading sound producers and engineers, we wish to express serious concern with the status of the White Spaces proceeding. We believe both the accelerated timing of the vote without an adequate public comment period, as well as the order itself, puts the incumbent wireless microphone industry at great risk.

At a minimum, the Commission should open a formal comment period on the report entitled *Evaluation of the Performance of Prototype TV-Band White Space Devices*, allowing our experts in audio technology—and other interested parties—to fully study this complex document and provide our analysis.

Further, we are troubled by the Commission's apparent willingness to allow portable White Spaces Devices (WSD) to operate using technologies that the Commission's own lab and field testing have demonstrated do not work. Any reliance on "sensing" technologies should be abandoned, as the OET's own tests showed significant failures of this methodology.

We propose, as an alternative, the Commission set aside at least eight (8) channels for dedicated wireless microphone usage, and adopt a geolocation and database process to allow for larger operations, including concerts at stadiums, arenas, amphitheatres, and similarly sized venues. This combination will afford the incumbent users some protection, while still allowing portable WSD to operate without the need for a theoretical sensing ability.

Live music production is an essential American endeavor that relies heavily on the white spaces of the spectrum to operate. We therefore rely on you and your fellow Commissioners to protect this part of the spectrum, and thus allow the music to play on for our citizens.

Sincerely,

Neil Portnow  
President/CEO  
The Recording Academy

Michael Abbott  
Audio Coordinator GRAMMY Awards  
Audio Mixer 2008 Presidential Debates  
Audio Producer, Country Music Awards  
Los Angeles, CA

Roy Thomas Baker  
Music Producer  
(Queen, The Cars, Smashing Pumpkins)  
West Hollywood, CA

Jeff Balding  
Producer/Engineer  
(LeeAnn Rimes, Megadeth, Taylor Swift)  
Nashville, TN

Tony Bennett  
Recording Artist  
New York, NY

Michael Bishop  
Chief Recording Engineer  
Telarc International  
Division of Concord Music Group  
Cleveland, Ohio

Blue Man Group Productions  
New York, NY

Mark Bright  
Producer  
Nashville, TN

Karen Brinton /Owner/Manager  
David Hewitt/Chief Engineer  
Remote Recording  
(Academy Awards, Metropolitan Opera, CMA's)  
New York, NY

Richard James Burgess  
Producer  
(Spandau Ballet, New Edition, Shriekback)  
Mayo, MD

Joe Chiccarelli  
Producer/Engineer  
(Elton John, Beck, The White Stripes)  
Los Angeles, Ca. 90049

Joe Ciaudelli  
Industry Team Manager  
Professional Products  
Sennheiser Professional  
Old Lyme, CT

Mike Clink  
Producer/Engineer  
(Guns N' Roses, Aerosmith, Sarah Kelly)  
Los Angeles, CA

John Cossette  
Executive Producer  
John Cossette Productions  
Grammy Awards/BET/Theatrical shows  
Los Angeles, CA

Jason Decter  
Engineer  
(Panic at the Disco, Plain White T's)  
Long Beach, CA

Doug Emery  
Producer/Arranger  
(Barbra Streisand, Julio Iglesias, Jon Secada.)  
Miami, FL

Blake Eiseman  
Recording/Mixing Engineer  
(Usher, Destiny's Child, Whitney Houston)  
Head Engineer, Icon Studios  
Atlanta, GA

Chris Ferrari  
Engineer  
(Lady Antebellum)  
Nashville, TN

Frank Filipetti  
Producer /Engineer  
(James Taylor, Elton John, Luciano Pavarotti)  
New York, NY

Steven Flatt  
Monitor Engineer  
Ashanti  
Fountaintown, IN

Mark Gander  
VP of Marketing  
AKG Acoustics USA,  
a Harman International Company  
Northridge, CA

Dave Hampton  
Engineer / Author / Educator  
( Herbie Hancock, Prince, Justin Timberlake)  
Los Angeles, CA

Scott Harmala  
CTO/VP Engineering  
ATK Audiotek  
(GRAMMY Awards  
Academy of Country Music Awards  
American Music Awards)  
Valencia, CA

Scott Hendricks  
Music Producer  
Nashville, TN

Tal Herzberg  
Producer/Engineer  
(Black Eyed Peas, Pussycat Dolls, Mary J Blige)  
Los Angeles, California

Ryan Hewitt  
Producer/Recording Engineer  
(Red Hot Chili Peppers, Buddy Guy, Jimmy Buffet)  
Venice, CA

Steve "Silk" Hurley  
DJ/Producer/Remixer/Songwriter  
(Madonna, J-Lo, Mary J. Blige)  
Chicago, IL

Jimmy Jam  
Producer/Songwriter  
(Janet Jackson, Mary J. Blige, Usher)  
Chairman, The Recording Academy  
Los Angeles, CA

Leslie Ann Jones,  
Grammy winning Recording Engineer  
Director of Music Recording and Scoring  
Skywalker Sound  
Nicasio, CA

Rory S. Kaplan  
President  
Rory Kaplan Productions, Inc  
Producer/Musician  
Simi Valley, Calif.

Kyle Lehning  
Producer/Engineer  
(Randy Travis, George Jones, Waylon Jennings)  
Nashville, TN

Glenn Lorbecki  
Producer/Engineer/Recording Studio Owner  
(Dizzy Gillespie, Dave Matthews, Green Day)  
Seattle WA

Bob Ludwig  
President/Owner/Chief Engineer  
(Led Zeppelin, Bruce Springsteen, Lou Reed))  
Gateway Mastering & DVD  
Portland, Maine

George Massenburg  
Engineer/Producer/Designer  
(Linda Ronstadt, Earth Wind & Fire, Aaron Neville)  
GML Labs  
Nashville, TN

Elliot Mazer  
Co-Chairman, Left Turn Music, LLC  
Producer/engineer  
(Neil Young The Who, Emmylou Harris)  
New York, NY

Neal McCoy  
Recording Artist  
Nashville, TN

Jamie O'Neal  
Recording Artist  
Brentwood, TN

Jeff Parsons & John Stoffel  
Engineers  
Blake Shelton  
Nashville, TN

Phil Ramone  
Producer/Engineer  
(Billy Joel, Paul Simon, Barbra Streisand)  
New York, NY

Ricky Skaggs  
Recording Artist  
Franklin, TN

STAIN'D  
Atlantic Recording Artists  
Springfield, MA

Sylvia Massy  
Producer / Engineer  
(Johnny Cash, Tool, Tom Petty)  
Weed, California

John McBride, Scott Phillips, Vance Powell  
Blackbird Studio  
Nashville, TN

Martina McBride  
RCA Recording Artist  
Nashville, TN

James McKinney,  
Producer/Songwriter/Remixer/Business Owner  
(Mariah Cary, Omarion, Maiysha)  
Greenbelt, MD

Hank Neuberger  
Springboard Productions, Inc.  
(Grammy Telecast, Dave Matthews Band, Coachella & Lollapalooza Festivals)  
Chicago, IL

Roger Nichols  
CEO RNDigital, Inc.  
Engineer/Producer  
(Steely Dan, John Denver, Four Tops)  
Jupiter, FL

Phil Nicolo  
Producer / Engineer  
(Billy Joel, Bob Dylan, Fugees)  
Philadelphia, PA

Dave O'Donnell  
Producer/Engineer  
(James Taylor, Eric Clapton, John Mayer)  
New York, NY

Keith Olsen  
Producer/Engineer  
(Fleetwood Mac, Santana,

Gary Paczosa  
V.P. A&R Sugar Hill Records  
Nashville TN

Nick Palladino  
Sound Designer  
(Fireproof, Billy, the younger years)  
Nashville, TN

John Poppo  
President Pop Productions Inc.  
Producer/Engineer/Songwriter  
(N Sync, Mariah Carey, Seal)  
New York, NY

Nile Rodgers  
Musician, Producer, Songwriter  
(Chic, Madonna, Jeff Beck)  
New York, NY

Eric Schilling  
Producer/Engineer  
(Gloria Estefan, Shakira, GRAMMY Awards)  
Orlando, FL

Allen Sides  
President  
Ocean Way Recording/Record One Recording  
Hollywood, CA

Paul Stubblebine  
Chief Engineer  
Paul Stubblebine Mastering  
San Francisco, CA

Larry Sturm  
Engineer/Producer  
(Jennifer Hudson, Destiny's Child, Twista)  
Chicago IL

Brian Transeau (pka) BT  
Composer/Producer  
(Fast and Furious, The Matrix, Peter Gabriel)  
Washington, DC

Loren White  
Engineer  
Hilary Duff  
West Palm Beach, FL

Dan Workman,  
President,  
SugarHill Recording Studios  
Houston, Texas